

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

21-cr-0194 (LAK)

RICKEY JOHNSON,

Defendant.  
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**ORDER**

LEWIS A. KAPLAN, *District Judge*.

On or about February 11, 2022, defendant served a trial subpoena on Fox Corporation (“Fox”) calling for the production tomorrow of:

[1] The specific portions of policy, procedure, or operation manuals maintained by Fox and the Fox Corporate Security Division that were in effect between January 30, 2021 and February 11, 2021, that address how Fox Corporate Security answers threats against Fox on-air talent; as well as [2] records of prior investigations by Fox Corporate Security into threats against complainants Gregory Gutfeld and Laura Ingraham between November 2020 and February 2021, and [3] records of the investigation by Fox Corporation into threats against Gregory Gutfeld by an individual in Pennsylvania in March 2021.

Fox has filed a letter motion to quash the subpoena. Dkt. 56.

Insofar as the motion seeks to quash what I have denominated specification [1] in the quotation above, it is GRANTED. The Court seeks no relevancy or materiality to any such materials, as the question in this case is whether the conduct charged by a federal grand jury constitutes one or more crimes, not why Fox brought the attention of defendant’s alleged conduct to the attention of the government or whether its action in doing so was or was not consistent with its internal policies or procedures.

Insofar as it seeks to quash what I have denominated specifications [2] and [3], the motion is GRANTED to the extent that compliance with the subpoena is STAYED pending the conclusion of any direct testimony by any Fox employee on the government’s case in chief subject to a further ruling at that time..

SO ORDERED.

Dated: February 15, 2022

/s/ Lewis A. Kaplan

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Lewis A. Kaplan  
United States District Judge